

IN THE DISTRICT COURT OF GUAM
TERRITORY OF GUAM
MAGISTRATE CRIMINAL MINUTES

DISTRICT COURT OF GUAM

JUN 10 2005

MARY L.M. MORAN

CLERK OF COURT

CASE NO. MG-05-00014

DATE: 06/10/2005

TIME: 10:59 a.m.

HON. RICARDO S. MARTINEZ, Designated Judge, Presiding
Court Reporter: Wanda Miles
Hearing Electronically Recorded: 10:59:26 - 11:13:22

Law Clerk: NONE PRESENT
Courtroom Deputy: Virginia T. Kilgore
CSO: B. Pereda

(16)

***** APPEARANCES *****

DEFT: RICKY KIRACHKY

(X) PRESENT () CUSTODY (X) BOND () P.R.

ATTY : JOAQUIN C. ARRIOLA, JR.

(X) PRESENT () RETAINED () FPD (X) CJA APPOINTED

U.S. ATTORNEY: JOSEPH TOCK

AGENT:

U.S. PROBATION: CARLEEN BORJA

U.S. MARSHAL: S. LUJAN

***** PROCEEDINGS: CHANGE OF PLEA *****

() COMPLAINT READ TO DEFENDANT

() FINANCIAL AFFIDAVIT REVIEWED AND ACCEPTED: _____, ATTORNEY APPOINTED

(X) DEFENDANT SWORN AND EXAMINED: AGE: 40 HIGH SCHOOL COMPLETED: Chuck High School Graduate

(X) DEFENDANT ARRAIGNED AND ADVISED OF HIS RIGHTS, CHARGES AND PENALTIES

() REMOVAL/IDENTITY HEARING () CONDUCTED () WAIVED () SET FOR: _____ at _____

() WARRANT OF REMOVAL ISSUED

() GOV'T SUMMARIZES THE EVIDENCE () GOV'T SUBMITS TO THE PLEA AGREEMENT

(X) COURT QUESTIONS DEFENDANT REGARDING HIS PHYSICAL AND MENTAL CONDITION, AND ADVISES DEFENDANT OF THE NATURE AND POSSIBLE CONSEQUENCES OF SAID PLEA

() DEFENDANT WAIVE READING OF () COMPLAINT () INFORMATION () INDICTMENT

(X) PLEA ENTERED: (X) GUILTY () NOT GUILTY - TO: CHARGES CONTAINED IN THE INDICTMENT

() COUNT(S) _____ DISMISSED ON GOVERNMENT'S MOTION

() PLEA AGREEMENT FILED: NO WRITTEN PLEA AGREEMENT PLEA: (X) ACCEPTED () REJECTED

() COURT ORDERS PLEA AGREEMENT SEALED

() COURT REJECTS PLEA AGREEMENT AND REFERS IT TO: _____ FOR RECOMMENDATION.

(X) SENTENCING DATE: AUGUST 30, 2005 at 11:30 A.M. () STATUS HEARING: _____ at _____

(X) PRESENTENCE REPORT ORDERED AND DUE: JULY 26, 2005

() PRELIMINARY EXAMINATION SET FOR: _____

() ARRAIGNMENT SET FOR: _____ at _____

() TRIAL SET FOR: _____

PROCEEDINGS CONTINUED TO: _____ at _____

() DEFENDANT TO BE RELEASED ON BOND (see release conditions on page 2)

() DEFENDANT REMANDED TO THE CUSTODY OF THE U.S. MARSHAL SERVICE FOR () PROCESSING () DETENTION

() DETENTION HEARING REQUESTED BY GOV'T DEFT IS SET FOR: _____ at _____

() DEFENDANT RELEASED ON BAIL AS PREVIOUSLY ORDERED BY THIS COURT

NOTES:

Defendant pled guilty without a written plea agreement. Mr. Tock stated that he will not be available in September and requested for a late August sentencing date. No objection. GRANTED.

Courtroom Deputy: _____